IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1978 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL HETALBAHEN HITESHKUMAR

Versus

UNION OF INDIA

Appearance:

MR PRADEEP PATEL for the Petitioner.

MR DN PATEL for the Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 10/03/2003

ORAL JUDGEMENT

Rule. Learned Senior Standing Counsel Mr. D.N.Patel appears and waives service of Rule for the respondent. This is a petition for a direction to the respondent authority for rectification in the date of

birth of the petitioner as 25.11.1979 in place of 19.7.1979 in the passport to be issued to the petitioner.

2. Heard the learned counsel for the parties. The learned counsel for the petitioner states that the petitioner has already moved an application for correction of the date of birth as 25.11.1979 in place of 19.7.1979 10.4.1975 to the respondent authority, but the respondent authority has refused to entertain the said application on the ground that the respondent authority has no authority to rectify the date of birth unless an order to that effect is issued by the competent court of law. In the facts and circumstances, this petition is being disposed of finally with a direction to the petitioner to file a fresh representation before the respondent authority within a period of one week from today and the respondent authority is directed to decide the application/representation of the petitioner in accordance with law and on the basis of the material on record within a period of one month from the date of presentation of the certified copy of this judgment. The respondent authority will be at liberty to impose appropriate costs for these proceedings. Rule made absolute accordingly with no order as to costs. Direct service permitted.

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